

Message Text

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ORIGIN EA-10

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DRAFTED BY EA/VN:RHWENZEL:JCM

APPROVED BY EA:RHMILLER

DOD/ISA:COL. JACK R. PILK(DRAFT)

L/EA:EGVERVILLE (DRAFT)

EA/LC:LMRIVES

DOD/GC - MR.JSILBER (DRAFT)

----- 096296

O 281327Z FEB 75

FM SECSTATE WASHDC

TO AMEMBASSY SAIGON IMMEDIATE

AMEMBASSY PHNOM PENH IMMEDIATE

INFO CINCPAC HONOLULU HI IMMEDIATE

COMUSSAG 7AF NKP THAILAND IMMEDIATE

SECDEF IMMEDIATE

C O N F I D E N T I A L STATE 045242

E.O. 11652: GDS

TAGS: MASS, MPOL, MOPS, CB, VS

SUBJECT: LOAN OF RVN MONITORS TO KHMER NAVY

REF: SAIGON 1943

1. THERE FOLLOWS TEXT OF FEBRUARY 25 LETTER FROM DOD
ASSISTANT SECRETARY ELLSWORTH TO PRESIDENT OF THE SENATE
PROVIDING NOTIFICATION OF INTENTION TO GIVE U.S. CONSENT
TO THE LOAN OF FOUR GVN MONITORS TO THE GKR (SIMILAR
LETTER TRANSMITTED SAME DATE TO SPEAKER OF THE HOUSE).

BEGIN TEXT

THE SECRETARY OF DEFENSE HAS ASKED ME TO NOTIFY
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YOU THAT, ACTING ON BEHALF OF THE PRESIDENT OF THE

UNITED STATES, HE INTENDS TO GIVE UNITED STATES
CONSENT TO THE DISPOSITION OF 4 RIVERINE MONITORS
(CONVERTED LCM-6) WITH ASSOCIATED EQUIPMENT BY THE
GOVERNMENT OF THE REPUBLIC OF VIET-NAM BY LOAN TO
THE GOVERNMENT OF THE KHMER REPUBLIC. SUCH CONSENT
IS AUTHORIZED BY PARAGRAPH (2) OF SUBSECTION 401(A)
OF THE ARMED FORCES SUPPLEMENTAL APPROPRIATION
AUTHORIZATION, 1966, AS AMENDED (P.L. 89-367,

APPROVED ON MARCH 15, 1966, AS AMENDED), AND
BY SUBSECTION 505(A) OF THE FOREIGN ASSISTANCE
ACT OF 1961, AS AMENDED. A SIMILAR NOTIFICATION
IS BEING GIVEN TO THE SPEAKER OF THE HOUSE OF
REPRESENTATIVES.

PROVIDED THAT THE UNITED STATES CONSENTS, THE
GOVERNMENT OF THE REPUBLIC OF VIET-NAM IS PREPARED
TO LEND SUCH DEFENSE ARTICLES WHICH IT OWNS TO THE
GOVERNMENT OF THE KHMER REPUBLIC. THE MEKONG
RIVER WHICH IS THE LIFELINE TO THE SURVIVAL OF
CAMBODIA HAS BEEN CLOSED TO RESUPPLY TRAFFIC
BECAUSE OF KHMER COMMUNIST ACTIVITY. THE RIVERINE
VESSELS WILL GREATLY ENHANCE THE KHMER NAVY
MINESWEEPING CAPABILITY. IT IS EXPECTED THAT THE
VESSELS WILL BE ON LOAN FOR A PERIOD OF AT LEAST
SIX MONTHS PURSUANT TO ARRANGEMENTS BETWEEN THE
VIENTAMESE AND KHMER GOVERNMENTS, THAT THEY
WILL BE USED BY THE KHMER NAVY IN ITS EFFORTS TO
REOPEN AND SECURE THE MEKONG AS A SUPPLY ROUTE,
AND THAT THEY WILL BE RETURNED TO THE GOVERNMENT
OF THE REPUBLIC OF VIET-NAM WHEN NO LONGER REQUIRED
BY THE GOVERNMENT OF THE KHMER REPUBLIC. IT IS
UNDERSTOOD THAT SUCH ARRANGEMENTS WILL PROVIDE THAT,
IN THE EVENT OF LOSS OR DESTRUCTION OF ANY OF
THE BORROWED VESSELS, THE GOVERNMENT OF THE KHMER
REPUBLIC WILL REPLACE IT WITH AN EQUAL NUMBER OF
EQUIVALENT VESSELS UPON TERMINATION OF THE LOAN
PERIOD AS MAY BE AVAILABLE FROM AMONG THOSE VESSELS
PROVIDED UNDER THE UNITED STATES MILITARY
ASSISTANCE PROGRAM TO THE KHMER REPUBLIC. FOR
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SUCH PURPOSES, IT IS INTENDED THAT THE UNITED
STATES WILL CONSENT TO SUCH REPLACEMENT TRANSFER
TO THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM
AS AUTHORIZED BY SUBSECTION 505(A) OF THE
FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, AND
THAT THIS LETTER ALSO CONSTITUTES THE NOTICE
REQUIRED BY SUBSECTION 505(E) OF THAT ACT.
ANY SUCH REPLACEMENT VESSELS TRANSFERRED BY THE

GOVERNMENT OF THE KHMER REPUBLIC TO THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM WOULD, OF COURSE, BE SUBJECT TO THE SAME RESTRICTIONS ON USE AND TRANSFER AS THE VIETNAMESE VESSELS TO BE LENT, WHICH RESTRICTIONS ARE SET FORTH IN THE GOVERNING MILITARY ASSISTANCE AGREEMENTS BETWEEN THE UNITED STATES AND THE REPUBLIC OF VIET-NAM. END TEXT. TEXT OF THESE LETTERS SHOULD BE GIVEN TO BOTH GVN AND GKR.

2. FOR SAIGON. YOU SHOULD NOW MAKE OFFICIAL REQUEST THAT THE GVN APPROVE THE LOAN OF THE MONITORS TO THE GKR (REFTEL).

3. FOR SAIGON AND PHNOM PENH. THE EARLIEST THE TRANSFER OF THESE VESSELS BY THE GVN TO THE GKR CAN BE LEGALLY EFFECTED IS MARCH 13, 1975, AFTER THE EXPIRY OF THE 15 DAY NOTIFICATION PERIOD. IF THE CONGRESS DOES NOT INTERPOSE SPECIFIC OBJECTION BY THAT DATE, WE WILL INFORM THE GVN AND THE GKR OF USG CONCURRENCE IN THE CONSUMATION OF THE LOAN. IN THE MEANTIME, SUGGEST DAO SAIGON LEGAL ADVISER ASSIST GVN IN PREPARATION OF DRAFT LOAN AGREEMENT (BASED ON INFO IN PARA 1 ABOVE) THAT WOULD INSURE SATISFACTION OF ALL USG LEGAL REQUIREMENTS. SUGGEST LOAN ARRANGEMENT CONTAIN TEXT OF LETTER IN PARA 1 ABOVE AS ANNEX TO IT. REQUEST EMBASSY SAIGON PROVIDE COPY OF EXECUTED LOAN AGREEMENT TO WASHINGTON. WE WOULD HOPE SUCH AGREEMENT COULD BE COORDINATED PROMPTLY BY GVN AND GKR SO THAT IT COULD BE CONCLUDED AND VESSELS TRANSFERRED AS SOON AS THE U.S. IS IN A POSITION TO CONCUR IN THE LOAN. PLEASE ADVISE IF YOU HAVE ANY SPECIFIC QUESTIONS IN THIS REGARD.

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4. DOD CONCURS IN THIS MESSAGE. KISSINGER

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NNN

Message Attributes

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To: SAIGON PHNOM PENH
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